



DSW

PATENT
Customer No. 22,852
Attorney Docket No. 08830.0016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Satoshi MASUMI et al.) Group Art Unit: 2853
Application No.: 10/807,302) Examiner: L. Liang
Filed: March 24, 2004)
For: IMAGE RECORDING DEVICE) Confirmation No.: 3817

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO ELECTION REQUIREMENT

In the Office Action mailed on October 4, 2006, the Examiner required an election under 35 U.S.C. § 121 between the following allegedly patentably distinct species:

I. Species I, characterized by the Examiner as directed to an image recording device comprising a first heating section which heats the ultraviolet-ray curable ink on a recording medium after an irradiation of the ultraviolet rays, and a second heating section which heats the ultraviolet-ray curable ink on the recording medium after a heating process of the first heating section; and

II. Species II, characterized by the Examiner as directed to an image recording device comprising a first heating section which heats the ultraviolet-ray curable ink on a recording medium after an irradiation of the ultraviolet rays, and a

second heating section which heats the recording medium before a heating process of the first heating section.

The Examiner required Applicants to elect one of these species and to identify the claims "readable" on the elected species. The Examiner also asserted that no claims were generic.

Applicants do not necessarily agree with the Examiner's election of species requirement, assertion that no claims are generic, or other characterizations made within the Office Action. Nonetheless, to expedite prosecution of this application, Applicants provisionally elect to prosecute Species II, as identified above. Applicants assert that at least claims 25-42 are "readable" thereon.

Please grant any extensions of time required to enter this Response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 30, 2006

By: /David W. Hill/
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